



John L. Salomone  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR JEFF WRIGHT**

## **MINUTES – PRELIMINARY**

### **CHARTER REVISION COMMISSION**

**December 1, 2008**

#### **I CALL TO ORDER**

Commissioner Bafundo called the meeting to order at 6:34 PM in the Helen Nelson Room of the Newington Town Hall.

#### **II PLEDGE OF ALLEGIANCE**

#### **III ROLL CALL**

##### Commissioners Present

Nancy Bafundo – Chair  
Tony Boni  
Peter Boorman  
Robert Briggaman  
Alan Nafis

##### Also Present

Jeff Wright – Mayor  
Justin Clark – Counsel  
Tanya Lane – Town Clerk

(Note: Complete version of minutes to follow.)

The Commission agreed by consensus to address the Fire Chief/Fire Marshall issue directly after public participation. The Commission also agreed by consensus to allow questions to be asked of members of the public in the audience during the discussion.

#### **IV PUBLIC PARTICIPATION**

Kent Stoddard, Mr. Stoddard spoke against changing the Charter to disallow the same person from serving as both the Fire Chief and the Fire Marshall.

Eric Giansanti, 151 Audubon Avenue: Mr. Giansanti spoke against changing the Charter to disallow the same person from serving as both the Fire Chief and the Fire Marshall.

Dave Woods, 1384 Main Street: Mr. Woods spoke against changing the Charter to disallow the same person from serving as both the Fire Chief and the Fire Marshall

Pill Pollack, 28 Kirkham Street: Mr. Pollack inquired whether there has been any reason to doubt the abilities of the Fire Chief and Fire Marshall and implored the Commission not to make any changes without a valid reason.

Bob Regina, 38 Birchlawn Terrace: Mr. Regina stated that Fire Chief/Fire Marshall Schroeder has done an admirable job in both of his positions, and stated that the Fire Commission does not have the authority to interfere with the Newington Fire Department.

Michael J. Fox, 1901 Main Street: Mr. Fox stated that his previous recommendation to separate the Fire Marshal/Chief positions was due, in part, to a 2003 consultant's study. He stated that there is nothing against Chief Schroeder, and stated that the Commissioners should take the Fire Department members' opinions into account when making their decision.

Bob Regina, 38 Birchlawn Terrace: Mr. Regina clarified that the study referred to in Mr. Fox's comments was performed in 2003 and did not address the current Fire Chief/Fire Marshall situation.

## **VI MATTERS TO BE CONSIDERED**

- B Discussion – As time allows, Review/Comparison of Version 7-Revisions to the Original Charter.

The Commissioners thanked the members of the Fire Department for speaking about the Fire Marshall/Fire Chief situation. After a brief discussion the Commission agreed unanimously to not change language in the Charter regarding the Fire Chief/Fire Marshall position, and agreed not to include language that would prohibit the same person from holding both positions.

The Commission took a brief recess. Upon return the Commission decided by consensus to address agenda item V – Minutes.

## **V MINUTES**

- A 11/13/08 Meeting

Commissioner Boni moved to accept the minutes of the 11/13/08 meeting as submitted. Motion seconded by Commissioner Briggaman. Motion passed 5-0.

## **VI MATTERS TO BE CONSIDERED**

- A Discussion – as Time Allows, Proposed Language for Charter Revision Re: Budget Referendum.

The Commission held a lengthy discussion regarding the proposed budget referendum and Charter section 821. A number of motions were made and roll-call votes taken as follows:

Commissioner Nafis moved to remove the three-percent cap as written in the proposed Charter section 821 and insert a four-percent cap. Motion seconded by Commissioner Boorman. Discussion followed.

### Roll Call Vote

Commissioner Bafundo – no  
Commissioner Boni – No  
Commissioner Boorman – Yes  
Commissioner Briggaman – No  
Commissioner Nafis – Yes

Motion failed 2-3 as indicated.

Commissioner Nafis moved to increase the number of calendar days required under section 821(C) for mailings of a notice of a budget referendum to twenty-one. Motion seconded by Commissioner Boorman. (Note: exact wording of motion to follow in full minutes.) Discussion followed.

### Roll Call Vote

Commissioner Bafundo – no  
Commissioner Boni – No  
Commissioner Boorman – Yes

Commissioner Briggaman – No  
Commissioner Nafis – Yes

Motion failed 2-3 as indicated

Commissioner Boorman moved to amend the language of section 821(C) in order to require that notices are mailed to all of the Town's taxpayers, whether or not they are electors. Motion seconded by Commissioner Nafis. (Note: exact wording of motion to follow in full minutes.) Discussion followed.

Roll Call Vote

Commissioner Bafundo – Yes  
Commissioner Boni – No  
Commissioner Boorman – Yes  
Commissioner Briggaman – Yes  
Commissioner Nafis – Yes

Motion passed 4-1 as indicated.

Commissioner Nafis moved to amend the final sentence in section 821(C) in order to require that voters are informed as to what will need to be changed in the budget to meet the three-percent increase requirement in the event of a failed referendum. Motion seconded by Commissioner Boorman. (Note: exact wording of motion to follow in full minutes.) Discussion followed.

Roll Call Vote

Commissioner Bafundo – no  
Commissioner Boni – No  
Commissioner Boorman – Yes  
Commissioner Briggaman – No  
Commissioner Nafis – Yes

Motion failed 2-3 as indicated

The Commission took a recess at 8:30pm and resumed at 8:41pm.

Commissioner Boorman moved to amend the language in section 821(E) to allow for three choices on a budget referendum ballot: "Yes", "No-too high", "No-too low". Motion seconded by Commissioner Nafis. (Note: exact wording of motion to follow in full minutes.) Discussion followed.

Roll Call Vote

Commissioner Bafundo – no  
Commissioner Boni – No  
Commissioner Boorman – Yes  
Commissioner Briggaman – No  
Commissioner Nafis – Yes

Motion failed 2-3 as indicated

Commissioner Boorman moved to remove the word "not" from the final sentence of section 821(H). Motion seconded by Commissioner Nafis. (Note: exact wording of motion to follow in full minutes.) Discussion followed.

Roll Call Vote

Commissioner Bafundo – Yes  
Commissioner Boni – No  
Commissioner Boorman – Yes  
Commissioner Briggaman – Yes  
Commissioner Nafis – Yes

Motion passed 4-1 as indicated.

- C      Discussion – as Time Allows, Follow Up on Questions Related to Other Sections of the Charter that have been Previously Discussed.

The Commission discussed the topic of whether the Mayor or Town Councilors should be allowed to be appointed to boards or commissions. Proposed language amendments to Charter section 415 as well as a memo from Lori Verreault regarding the topic was distributed and discussed.

Commissioner Boni moved to accept the proposed language for Charter section 415. Motion seconded by Commissioner Briggaman.

Roll Call Vote

Commissioner Bafundo – Yes  
Commissioner Boni – Yes  
Commissioner Boorman – No  
Commissioner Briggaman – Yes  
Commissioner Nafis – No

Motion passed 3-2 as indicated.

The Commission received revised language for Charter Article X.

Commissioner Briggaman moved to accept the amendments to Charter Article X. Motion seconded by Commissioner Boni.

Roll Call Vote

Commissioner Bafundo – Yes  
Commissioner Boni – Yes  
Commissioner Boorman – Yes  
Commissioner Briggaman – Yes  
Commissioner Nafis – Yes

Motion passed 5-0 as indicated.

**VII ANY OTHER BUSINESS PERTINENT TO THIS COMMISSION**

Commissioner Boni moved the following:

WHEREAS, pursuant to Connecticut General Statutes section 7-191(A) this commission is required to hold at least two public hearings on any proposed charter, charter amendments or home rule ordinance amendments, including one prior to the beginning of any substantive work on such charter, charter amendments or home rule ordinance amendments, and one after the draft report to the Newington Town Council has been completed, but not submitted; and

WHEREAS, this commission held one public hearing prior to the beginning of any substantive work on any proposed charter, charter amendments or home rule ordinance amendments; and

WHEREAS, a draft report on a proposed charter has been completed by this commission, but not submitted to the Newington Town Council, now therefore be it

RESOLVED, that a public hearing pursuant to pursuant to Connecticut General Statutes section 7-191(A) be scheduled for December 15, 2008 at 2:00pm in the auditorium of the Town of Newington's Senior & Disabled Center; and be it further

RESOLVED, that a public hearing pursuant to pursuant to Connecticut General Statutes section 7-191(A) be scheduled for December 15, 2008 at 6:30pm at the Newington Town Hall; and be it further

RESOLVED, that a Special Meeting of this commission be called to order immediately following the 6:30 public hearing with the sole agenda item being consideration of submitting the proposed charter discussed at the aforesaid public hearings to the Town Clerk doe transmission to the Newington Town Council as a draft report pursuant to Connecticut General Statutes section 7-191(B).

Motion seconded by Commissioner Briggaman. Discussion followed.

Roll Call Vote

Commissioner Bafundo – Yes  
Commissioner Boni – Yes  
Commissioner Boorman – No  
Commissioner Briggaman – Yes  
Commissioner Nafis – No

Motion passed 3-2 as indicated.

#### **VIII WRITTEN COMMUNICATION FROM THE PUBLIC**

Commissioner Bafundo noted an email submitted to the Commission from Joe Lapierre of 42 Goodale Drive, and indicated that the email was in regards to the issue of allowing the Fire Chief/Fire Marshall positions to be held by the same person. (Email attached):

#### **IX PUBLIC PARTICIPATION**

Myra Cohen, 42 Jeffery Lane, Town Council Member: Mrs. Cohen requested that her specific comments regarding dollar amounts in the budget be entered verbatim into the November 13 minutes. (Verbatim comments to follow in full version). She urged the Commission to reinstate the minimum voter percentage requirement to the Charter, and stated that deleting the percentages will ruin a Charter that served the Town for so many years. She also requested that the Commission review section 407, and requested that the Commission review page one of the budget book before approving the final version of the budget referendum. She also spoke about the proposed education circuit breaker, and urged the Commission to consider whether these numbers make sense.

Tom Bowen, 22 Woods Way, Town Council Member: Mr. Bowen questioned whether the draft report had been accepted by the Commission and whether it is ready to be submitted to the Council. He also spoke about the proposed education circuit breaker and requested an apology from the Town Attorney (?) regarding his comments that the education circuit breaker is intended to make sure that no one "guts" the Board of Education's budget.

Rose Lyons, 46 Elton Drive: Ms. Lyons expressed confusion about how much information the Commission wants to the public to have. She also noted that the previous Safety Committee was disbanded due, in part, to remove the Councilors serving on the Committee in favor of allowing more members of the public to serve. She thanked Commissioners Boorman and Nafis for their efforts coming into a "no-win" situation.

#### **X COMMENTS BY COMMISSIONERS**

The Commissioners thanked members of the Newington Volunteer Fire Department for coming out and voicing their opinions.

#### **XI ADJOURNMENT**

Commissioner Boni moved to adjourn the meeting at 10:08PM. Motion seconded by Commissioner Boorman. Motion passed 5-0.

Respectfully Submitted,

Mrs. Jaime Trevethan  
Clerk – Charter Revision Commission

**Note: Complete version of minutes to follow.**